

MAY 16 2006

Atty Docket No.: 5655.P007

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Carlson

Application No: 10/092,328

Filing Date: 03/06/2002

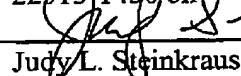
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Examiner: David Garcia Cervetti

Art Unit: 2136

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Date Judy L. Steinkraus

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUMMARY OF EXAMINER INTERVIEW

Sir:

The Applicants thank the Examiner for the courtesy of the telephone interview of April 10, 2006. The summary of the interview follows:

Applicants discussed with the Examiner the rejections of the Office Action mailed 1/18/2006 to gain a better understanding of the rejections. No agreement regarding allowance was reached at that time. Independent claims 1 and 8 were discussed and the Schneier prior art. Applicants suggested possible claim amendments. Examiner agreed to perform an updated search once a formal amendment is filed.

The Applicants submit the above summary for the Examiner's review. The

App.. No.: 10/092,328

1

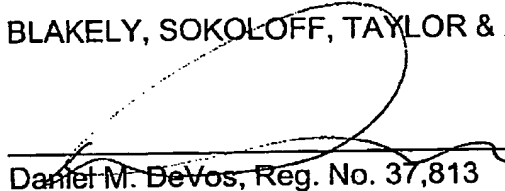
Atty Docket No.: 5655.P007

Applicants greatly appreciate the Examiner's ongoing efforts with regard to the present application.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _____

5/16/06


Daniel M. Devos, Reg. No. 37,813

Customer No. 08791
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
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MAY 16 2006

BLAKELY SOKOLOFF TAYLOR & ZAFMAN

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Operator: Judy Steinkraus x280 Matter: 10/092,328 5655.P007
Number of pages including cover sheet: 13

Message: Certificate of Facsimile: I hereby certify that the referenced
Amendment Transmittal + duplicate, Fee Transmittal + duplicate, Petition for
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1450 on 05/16/2006.

Judy L. Steinkraus

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MAY 16 2006

AMENDMENT TRANSMITTAL

PATENT

Application No.: 10/092,328
Filing Date: 03/06/2002
First Named Inventor: Carlson
Examiner's Name: Cervetti, David Garcia
Art Unit: 2136
Attorney Docket No.: 5655.P007

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☒ Petition for Extension of Time
- ☒ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☒ Other: Summary of Examiner Interview (2 pages)
- ☐ Other:
- ☐ Check
- ☐ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Daniel M. DeVos

SIGNATURE: 

REG. NO.: 37,812

DATE: 5/16/06

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF FACSIMILE

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AMENDMENT TRANSMITTAL**PATENT**

Application No.: 10/092,328
Filing Date: 03/06/2002
First Named Inventor: Carlson
Examiner's Name: Cervetti, David Garcia
Art Unit: 2136
Attorney Docket No.: 5655.P007

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- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
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- ☐ Certified Copy of Priority Document
- ☒ Other: Summary of Examiner Interview (2 pages)
- ☐ Other: _____
- ☐ Check
- ☐ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Daniel M. DeVos

SIGNATURE: _____

REG. NO.: 37,813DATE: 5/16/06ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300**CERTIFICATE OF FACSIMILE**

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Judy L. Steinkraus

Name of Person Mailing Correspondence

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Date

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(10/14/03)

MAY 16 2006

Page 1 of 3

FEE TRANSMITTAL FOR FY 2006

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 120.00

Complete if Known:

Application No. 10/092.328
 Filing Date 03/06/2002
 First Named Inventor Carlson
 Examiner Name Cervetti, David Garcia
 Art Unit 2136
 Attorney Docket No. 5655.P007

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)
☒ **Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ **The Director is authorized to do the following with respect to the above-identified Deposit Account:**☒ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☒ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity		Small Entity		Fee Description		Fees Paid (\$)
Code	Fee (\$)	Code	Fee (\$)			
1011	300	2011	150	Utility application filing fee	} 1,000/500	_____
1111	500	2111	250	Utility search fee		_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee	} 430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	} 660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	} 1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1) \$						_____

- 1 -

Based on Form PTO/SB/17 (01-06) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 01/26/06

2. EXCESS CLAIM FEES

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims _____ - 20 or HP = _____		X _____ = _____	
HP = highest number of total claims paid for, if greater than 20			
Independent Claims _____ - 3 or HP = _____		X _____ = _____	
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims _____		_____ = _____	

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ _____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X _____	_____

<u>Large Entity</u>		<u>Small Entity</u>		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ _____

FEE CALCULATION (continued)**4. OTHER FEE(S)****Fees Paid (\$)**

Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	120.00
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$120.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Daniel M. DeVos

Signature: _____

Date: 5/16/06Reg. Number: 37,813Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450